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IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE  
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Application Number: 10/522,320  
Filed: January 24, 2005  
Applicants: John L. Schenk and Allison C. Lindsey  
Title: Sperm Cell Process System  
TC/A.U: 1657  
Examiner: Tiffany M. Gough  
Attorney Docket: XY-Optimum-USNP  
Customer No. 33549  
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**EXPLANATION OF THE RELEVANCE OF NON-ENGLISH  
INFORMATION CITED UNDER 37 C.F.R. §1.98(a)(3)**

Pursuant to 37 CFR §1.97(b)(3), the Applicant hereby submits the references indicated on the attached list – no fee is believed to be required. As a means of complying with the duty of disclosure set forth in 37 C.F.R. §§1.56, 1.97, and 1.98, the following information may be material to the examination of the referenced application. Pursuant to 37 C.F.R. § 1.97(g), this Information Disclosure Statement should not be construed as a representation that a search has been made. Additionally, pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). A copy of each Foreign Reference or Non-Patent Literature reference is included in this filing.

This submission includes as follows a concise explanation of the relevance of non-English Information as cited in the Information Disclosure Statement enclosed herewith, in compliance with 37 C.F.R. §1.98(a)(3) and MPEP §609 A(3).

ZL 03109426.0, published 12/21/2005 to Inner Mongolia Mengniu Reproductive Biotechnology Co. Ltd. may include disclosure relative to a sperm separation and freezing preservation technique.

CN 100998524, published July 18, 2007; Beijing Glorious Land Agriculture Co.; may include disclosure relative to a super ovulation process using sexed semen and artificial insemination to produce the sexed embryos.

Dated this 4<sup>th</sup> day of January, 2008.

Respectfully Submitted,  
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